

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

HUMBERTO MARTINEZ,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-09-1023-D
	)	
	)	
GREG WILLIAMS,	)	
	)	
Respondent.	)	

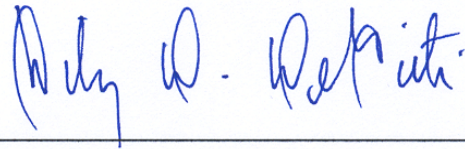
**ORDER**

Before the Court is the Report and Recommendation [Doc. No. 15] filed by United States Magistrate Judge Doyle W. Argo, to whom this matter was referred for initial proceedings in accordance with 28 U. S. C. § 636(b)(1)(B). The Magistrate Judge recommends that the petition for a writ of habeas corpus filed by Petitioner be denied; he further recommends that the Respondent's Motion to Dismiss [Doc. No. 9] be denied as moot.

In the Report and Recommendation, the Magistrate Judge advised the parties of the right to object to the same, and he scheduled a January 11, 2010 deadline for filing objections. He further expressly advised the parties that failure to make timely objection to the Report and Recommendation waives any right to appellate review of the factual and legal issues addressed in the Report and Recommendation.

The deadline for filing objections has expired, and no party has filed an objection or sought an extension of time in which to do so. As a result, the Report and Recommendation [Doc. No. 15] is ADOPTED as though fully set forth herein. The petition for a writ of habeas corpus is DENIED, and Respondent's Motion to Dismiss [Doc. No. 9] is DENIED as MOOT.

IT IS SO ORDERED this 22<sup>nd</sup> day of January, 2010.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE